

Appl. No. 10/574,738
Amdt. Dated December 9, 2009
Reply to Office Action of July 9, 2009

REMARKS

Applicant respectfully requests reconsideration of the prior art rejections set forth by the Examiner under 35 USC sections 102 and 103. Applicant respectfully submits that the prior art references of record, whether considered alone or in combination, fail to either teach or suggest the subject matter of the presently claimed invention. More specifically, by this amendment, Applicants have modified independent claim 1 to incorporate the limitations of previously presented claim 4.

Applicant notes that previously presented claim 4 specified wherein said second common channel portion is formed such that the channel resistance as to the movement direction of liquid to the plurality of individual channels with which said second common channel portion communicates is substantially constant. Applicant notes that the Examiner has asserted that this feature is disclosed in Mitani but a review of the referenced portion of Mitani confirms that the cited portion of the reference is directed to different subject matter that does not disclose or suggest the subject matter of the present invention as now specified.

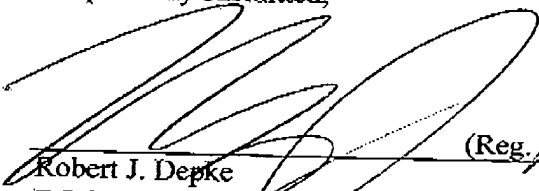
Fore example, the cited portion of the Mitani reference merely indicates that separate transmission channel portions have equal cross sections. In contrast, the claimed invention specifies that the second common channel portions is formed such that the channel resistance as to the movement direction of the liquid is substantially constant. Applicant respectfully submits that neither Mitani nor any of the remaining references of record teaches or suggests this advance in the art.

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In light of the foregoing, Applicants respectfully submit that all claims now stand in condition for allowance. In the event that it is deemed necessary, the Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-3891.

Respectfully submitted,

Date: 12/1/09


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